

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SEAN O'TOOLE, et al.,

Plaintiffs,

v.

CITY OF ANTIOCH, et al.,

Defendants.

No. C 11-1502 PJH

**ORDER DENYING MOTION FOR
RELIEF FROM NONDISPOSITIVE
PRETRIAL ORDER OF MAGISTRATE
JUDGE**

Plaintiffs in the above-captioned case have filed a motion for relief from a nondispositive pretrial order of a Magistrate Judge. Specifically, plaintiffs seek relief from the portion of Magistrate Judge James' discovery order which held that "[p]laintiffs have not shown that third party discovery is necessary without first exhausting discovery regarding the named plaintiffs," thereby limiting discovery at this stage of the case to the named plaintiffs. See Dkt. 85 (October 15, 2014).

The court notes that Magistrate Judge James' order did not foreclose the possibility of third-party discovery, and in fact, the order expressly provides that "[i]f plaintiffs maintain that discovery regarding nonparties is necessary after completion of this discovery, the parties shall meet and confer and thereafter file a letter in compliance with the undersigned's Discovery Standing Order if they are unable to reach an agreement."

In their motion, plaintiffs argue the relevance of third-party discovery, but do not present any reason why such discovery is needed at the same time as plaintiff-related discovery. Accordingly, the court DENIES plaintiffs' motion for relief from Magistrate Judge James' discovery order.

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IT IS SO ORDERED.

Dated: November 4, 2014



PHYLLIS J. HAMILTON
United States District Judge